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BEFORE THE ARIZONA CORPORATION COMMISSION

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2010 JUN -4 A 9: 22

AZ CORP COMMISSION  
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IN THE MATTER OF THE APPLICATION  
OF HUALAPAI VALLEY SOLAR LLC, IN  
CONFORMANCE WITH THE  
REQUIREMENTS OF ARIZONA REVISED  
STATUTES §§ 40-360.03 AND 40-360.06,  
FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY  
AUTHORIZING CONSTRUCTION OF  
THE HVS PROJECT, A 340 MW  
PARABOLIC TROUGH  
CONCENTRATING SOLAR THERMAL  
GENERATING FACILITY AND AN  
ASSOCIATED GEN-TIE LINE  
INTERCONNECTING THE GENERATING  
FACILITY TO THE EXISTING MEAD-  
PHOENIX 500kV TRANSMISSION LINE,  
THE MEAD-LIBERTY 345kV  
TRANSMISSION LINE OR THE  
MOENKOPI-EL DORADO 500kV  
TRANSMISSION LINE.

**CASE NO. 151**

**Docket No. L-00000NN-09-0541-00151**

**SUMMARY OF MOHAVE  
COUNTY'S TESTIMONY**

Arizona Corporation Commission

**DOCKETED**

JUN - 4 2010

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Mohave County intends to call Ms. Christine Ballard as its witness. Ms. Ballard is employed with the Mohave County Development Services Department as Planning and Zoning Divisional Manager. She has extensive education, training and experience in Planning and Zoning matters. She will testify regarding the requirements under State Statutes, primarily ARS Title 11, Mohave County's General Plan and Mohave County's Zoning Ordinance for processing and deciding applications for amendments to the General and Area Plans. She will testify specifically regarding the process which was followed with respect to the application for the plan amendment which was filed on behalf of Hualapai Valley Solar.

Ms. Ballard will testify that during 2009 Hualapai Valley Solar applied to Mohave County for a Plan Amendment to the General Plan for a concentrated solar field near Red Lake north of Kingman. The application, citizens participation and adoption process are governed by Section 40 of the Mohave County Zoning Ordinance and ARS 11-801 et. Seq. Due to its size and shift in balance of land uses that would result from its development, Hualapai Valley Solar was processed as a major plan amendment, consistent with ARS 11-824. C. and Section 40 of the

1 Mohave County Zoning Ordinance. ARS 11-824.C, requires that the Board of Supervisors  
2 consider all submitted major plan amendments at a single public hearing during the same  
3 calendar year that the requests are submitted. The Board hearing was held on November 16,  
4 2009. The following process was followed:

5 **Submission.** Section 40.2.of the Mohave County Zoning Ordinance recommends that  
6 applicants intending to submit plan amendments participate in a pre=application process. The  
7 applicant met with Development Services during the first quarter of 2009 and submitted its  
8 application during March 2009.

9 **Citizen Participation.** Section 40.2.C. of the Mohave County Zoning Ordinance  
10 requires that the applicant submit a Citizen Participation Plan for adoption by the Planning and  
11 Zoning Commission prior to beginning the process to adopt, review or update the plan, and the  
12 applicant must follow the adopted plan. Hualapai Valley Solar submitted a Citizen Participation  
13 Plan which identified and provided for notice to property owners in the vicinity of the proposed  
14 project; identified and provided for notice to resource conservation groups; and identified and  
15 provided for notice to interested government agencies. The Citizen Participation Plan also called  
16 for three workshops to which these entities as well as the general public would be notified and  
17 invited. The Citizen Participation Plan was considered and adopted by the Planning and Zoning  
18 Commission on June 10, 2009 and was affirmed by the Board of Supervisors at their meeting on  
19 July 6, 2010.

20 In addition to the workshops, Hualapai Valley Solar held a stakeholders meeting at the  
21 Hampton Inn in Kingman on June 30, 2009. Invitees to the stakeholders meeting included the  
22 Northwest Arizona Watershed Council (one representative was Denise Bensusan); City of  
23 Kingman: Hualapai Tribe; Mohave County Representatives, utilities; and members of the Desert  
24 Drought Task Force. The applicant did not limit attendance or participation in the stakeholders  
25 meeting to those invited.

26 Notices of the workshops were published through display advertisements in local  
27 newspapers; direct mailings to residents within several miles of the project, a web-site and  
28 flyers/posters. The workshops were held at the Valley Vista Country Club on July 15, 2009;  
Kingman High School on July 16, 2009; and Dolan Springs Community Center on August 7,  
2009. An accumulative total of 250 people attended the three workshops and stakeholders  
meeting. The meetings were well organized and well run, provided ample information, and  
project representatives were readily available to answer questions or receive comments.

1       **Notification of Agencies.** In accordance with ARS 11-806, notifications were sent to  
2 pertinent state agencies, the Arizona Department of Commerce, all incorporated cities in Mohave  
3 County, and all Counties sharing a boarder with Mohave County during the week of June 22,  
4 2009. All agency comments were included in the packages given to the Planning and Zoning  
5 Commission and Board of Supervisors.

6       **Hearings.** In accordance with ARS 11-822 and ARS 11-806, the Planning and Zoning  
7 Commission held a public hearing on the proposed plan amendment on September 9, 2009.  
8 Notice of the hearing date was published in the Kingman Daily Miner as a legal notice and as a  
9 1/8 page display adds as required by State Statute and County Ordinance. Notices were also sent  
10 to all property owners within ½ mile of the area to be rezoned. Drafts of the plan were available  
11 from the Development Services Department and from the Departments web page. All persons  
12 who signed up to speak were given the opportunity. There were several speakers in favor of the  
13 project and several against it. Do to the number of speakers and the complexity of the project the  
14 Planning and Zoning Commission continued the hearing until September 16, 2009. Speakers  
15 who did not have a chance to speak at the September 9 hearing were given an opportunity to do  
16 so at the September 16 hearing.

17       On November 16, 2009 a hearing was held before the Mohave County Board of  
18 Supervisors in compliance with ARS 11-823. The State Statutes and Board policies were  
19 followed with regard to notice and an opportunity to speak at that meeting. The Planning and  
20 Zoning Commissions recommendation and responses to public comments were forwarded to the  
21 Board of Supervisors. The Board of Supervisors unanimously adopted the recommendation of  
22 the Planning and Zoning Commission and approved the requested plan amendment

23       **Conclusion.** Ms. Ballard's testimony will show that Mohave County followed the  
24 process required by State Statute and the Mohave County Zoning Ordinance in considering and  
25 deciding the applicants request for a plan amendment. That process included considerable public  
26 participation. There were public comments both in favor and against the plan amendment. The  
27 comments against the requested amendment focused primarily on water conservation and the  
28 perceived incompatibility of the land use with the area. The comments in favor focused  
primarily on the need for economic development and the need to develop renewable energy  
resources. All these goals are identified in Mohave County's General Plan, which serves as the  
guide for land use decisions. Weighing and balancing these goals, which can sometimes  
conflict, is part of the legislative process which lies in the province of the Planning and Zoning  
Commission and the Mohave County Board of Supervisors.

1  
2 Dated this 3<sup>rd</sup> day of June, 2010.

3 MOHAVE COUNTY ATTORNEY  
4 MATTHEW SMITH

5 By Robert A. Taylor  
6 CHIEF CIVIL DEPUTY COUNTY ATTORNEY  
7 ROBERT A. TAYLOR – AZ State Bar No. 020703  
8 P O Box 7000  
9 Kingman, Arizona 86402

10 **Original and Thirteen (13)**  
11 **copies of the foregoing filed**  
12 **this 3<sup>rd</sup> day of June, 2010 with:**

13  
14  
15 Docket Control  
16 Arizona Corporation Commission  
17 1200 West Washington Street  
18 Phoenix, Arizona 85007

19  
20 **Copies of the foregoing mailed**  
21 **this 3<sup>rd</sup> day of June, 2010 to:**

22 Thomas H. Campbell  
23 Albert H. Acken  
24 LEWIS & ROCA, LLP  
25 Two Renaissance Square  
26 40 North Central Avenue - 1900  
27 Phoenix, Arizona 85004-4429  
28 Attorneys for Hualapai Valley Solar, LLC

Arizona Reporting Service, Inc.  
2200 North Central Avenue – 502  
Phoenix, Arizona 85004-1481

Timothy Hogan  
Arizona Center For Law in the Public Interest  
202 East McDowell Road – 153  
Phoenix, Arizona 85004  
Attorneys for Denise Herring - Bensusan

Susan A. Moore-Bayer  
7656 West Abrigo Drive  
Golden Valley, Arizona 86413

Israel G. Torres  
Torres Consulting and Law Group, LLC  
209 East Baseline Road, Suite E-102  
Tempe, Arizona 85283

1 Janice Alward, Chief Counsel  
2 Legal Division  
3 Arizona Corporation Commission  
4 1200 West Washington  
5 Phoenix, Arizona 85007

6 Steve Olea, Director  
7 Utilities Division  
8 Arizona Corporation Commission  
9 1200 West Washington  
10 Phoenix, Arizona 85007

11 By ve